

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES HADDAD,

Plaintiff,

Case No. 04-CV-74932

-vs-

Hon. ANNA DIGGS TAYLOR

INDIANA PACERS, an assumed name a/k/a PACERS
BASKETBALL CORPORATION, an Indiana corporation,
JERMAINE O'NEAL and ANTHONY JOHNSON,

Mag. Judge Donald A. Scheer

Defendants.

L.S. CHARFOOS (P11799)
JASON J. THOMPSON (P47184)
Attorneys for Plaintiff
5510 Woodward Avenue
Detroit, Michigan 48202
(313) 875-8080/FAX 8522

Potter, DeAgostino, Campbell & O'Dea
STEVEN M. POTTER (P33344)
Attorney for Indiana Pacers
2701 Cambridge Court, Suite 223
Auburn Hills, Michigan 48326
(248) 377-1700/FAX 0051

THOMAS W. CRANMER (P25252)
MATTHEW F. LEITMAN (P48999)
Attorneys for Anthony Johnson
150 W. Jefferson, Suite 2500
Detroit, Michigan 48226
(313) 496-7651

NOTICE OF NON-PARTY AT FAULT

NOW COMES Defendant, INDIANA PACERS, by and through its attorneys, POTTER, DeAGOSTINO, CAMPBELL & O'DEA, and pursuant to MCR 2.112(K) names the following individual as a potential non-party at fault for the damages allegedly suffered by Plaintiff:

Alvin Shackelford
12390 Sheridan Road
Burt, Michigan 48439

Mr. Shackelford entered the basketball court and confronted members of the Indiana

Pacers basketball team. The actions of Mr. Shackelford constitute trespassing. The actions of Mr. Shackelford either instigated or escalated the incident complained of in Plaintiff's Complaint, and were either a or the proximate cause of the Plaintiff's alleged injuries.

POTTER, DeAGOSTINO, CAMPBELL & O'DEA

s/STEVEN M. POTTER (P33344)
Attorney for Defendant Indiana Pacers
2701 Cambridge Court, Suite 223
Auburn Hills, Michigan 48326
(248) 377-1700
spotter@potterlaw.com

Dated: March 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2005, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the following: N/A, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: L.S. CHARFOOS/JASON J. THOMPSON, 5510 Woodward Avenue, Detroit, MI 48202 and THOMAS W. CRANMER/MATTHEW F. LEITMAN, 150 W. Jefferson, Suite 2500, Detroit, Michigan 48226.

s/STEVEN M. POTTER (P33344)
Attorney for Indiana Pacers
2701 Cambridge Court, Suite 223
Auburn Hills, Michigan 48326
(248) 377-1700
spotter@potterlaw.com